## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

BARBARA ANN HARTKE, an individual
on her own behalf and on behalf of the Estate
of decedent Gilbert V. Hartke,

Civil Action: 22-cv-03571 (PGG)
Hon. Paul G. Gardephe, U.S.D.J.

Plaintiff,

-against
BONHAMS & BUTTERFIELDS
AUCTIONEERS CORPORATION, A

File Date: July 22, 2022

AUCTIONEERS CORPORATION, A
DELAWARE CORPORATION; THE
CATHOLIC UNIVERSITY OF AMERICA,
A NON-PROFIT DISTRICT OF
COLUMBIA CORPORATION,

-----X:

----X

Defendants.

## NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Joint Motion to Dismiss Plaintiff's Amended Complaint, Defendants Bonhams & Butterfields Auctioneers Corporation and The Catholic University of America, by and through their respective attorneys, will hereby move this Court, before the Honorable Paul G. Gardephe, U.S.D.J., at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, Courtroom 705, at a date and time directed by the Court, for an Order dismissing the Amended Complaint in its entirety pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) and for such other and further relief as deemed just and proper by this Court.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's July 11, 2022 Order (ECF No. 44), opposition papers, if any, must be filed on or before August 15, 2022 and

any reply shall be filed on or before August 31, 2022.

Dated: New York, New York July 22, 2022

s/ Shawn A. Brenhouse
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